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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. PAT-1238DIV

In re patent application of

Yu ZHENG

Group Art Unit: 3637

Serial No. 09/618,497

Examiner: Yip, Winnie S.

Filed: July 18, 2000

For: COLLAPSIBLE STRUCTURES

REPLY BRIEF UNDER 37 C.F.R. §41.41

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This Reply Brief is filed in response to the Examiner's Answer dated October 17, 2005.

On page 9 of the Examiner's Answer, the Examiner refers to USP 6,595,227 to LeGette et al. ("LeGette") for teaching, "as well known in the collapsible art, that a foldable upper panel (300) would have a sleeve of a curved end edge connected to a sleeve of base panel (320) by a small fabric piece to allow two ends of the upper panel extending outer [sic] of the periphery of the lower panel."

In response, Applicant respectfully submits that the Examiner has mischaracterized the teachings in LeGette. In particular, the Examiner is referring to the shade 300 in FIG. 26 of LeGette, where element 320 is a head element. The head element 320 does not have any frame members, but instead includes foam or stuffing, and is possibly inflatable. See column 8, lines 15-24 of LeGette. In addition, the head element 320 is tethered to, or releasably connected to, or loosely

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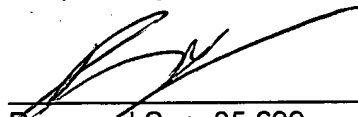
placed on, a strap 40 that is anchored by bars 314 and 316. Thus, this head element 320 is NOT a base panel as recited in the claims of the present application

The Examiner's use and mischaracterization of LeGette to support her rejections is further evidence of the hindsight nature of the rejections.

In view of the foregoing, and the arguments submitted in Applicant's Appeal Brief, Appellant respectfully submits that claims 1-3, 71 and 73 are patentable over the prior art and that the rejections as stated in the final Office Action of February 8, 2005, should be reversed and withdrawn.

Respectfully submitted,

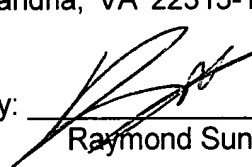
Date: November 17, 2005


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CERTIFICATE OF MAILING

I hereby certify that this paper and its enclosures are being deposited with the United States Postal service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Date: November 17, 2005

By: 
Raymond Sun